

fense information the Secretary requests to perform such functions, in the format and on the schedule specified by the Secretary.

3. The reporting functions under sections 1022 and 1094 of the Act [50 U.S.C. 3057, 3001 note] are hereby assigned to the Director of National Intelligence.

Heads of departments and agencies shall, to the extent permitted by law, furnish to the Director of National Intelligence information the Director requests to perform such functions, in the format and on the schedule specified by the Director.

The Secretaries of State and Defense, and the Director of National Intelligence shall perform such functions in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties.

Any reference in this memorandum to the provision of any Act shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

### § 302. Scope of delegation of functions

The authority conferred by this chapter shall apply to any function vested in the President by law if such law does not affirmatively prohibit delegation of the performance of such function as herein provided for, or specifically designate the officer or officers to whom it may be delegated. This chapter shall not be deemed to limit or derogate from any existing or inherent right of the President to delegate the performance of functions vested in him by law, and nothing herein shall be deemed to require express authorization in any case in which such an official would be presumed in law to have acted by authority or direction of the President.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

#### SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

### § 303. Definitions

As used in this chapter, the term “function” embraces any duty, power, responsibility, authority, or discretion vested in the President or other officer concerned, and the terms “perform” and “performance” may be construed to mean “exercise”.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

#### SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

## CHAPTER 5—EXTENSION OF CERTAIN RIGHTS AND PROTECTIONS TO PRESIDENTIAL OFFICES

### SUBCHAPTER I—GENERAL PROVISIONS

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- 401. Definitions.
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### SUBCHAPTER II—EXTENSION OF RIGHTS AND PROTECTIONS

#### PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

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#### PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

- 425. Rights and protections under the Occupational Safety and Health Act of 1970; procedures for remedy of violations.

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- 431. Application of chapter 71 of title 5, relating to Federal service labor-management relations; procedures for remedy of violations.

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- 435. Generally applicable remedies and limitations.

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### SUBCHAPTER IV—EFFECTIVE DATE

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### SUBCHAPTER I—GENERAL PROVISIONS

### § 401. Definitions

(a) IN GENERAL.—Except as otherwise specifically provided in this chapter, as used in this chapter:

(1) BOARD.—The term “Board” means the Merit Systems Protection Board under chapter 12 of title 5.

(2) COVERED EMPLOYEE.—The term “covered employee” means any employee of an employing office.

(3) EMPLOYEE.—The term “employee” includes an applicant for employment and a former employee.

<sup>1</sup> So in original. Does not conform to section catchline.